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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RAMON MURIC-DORADO,  
Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, et al.

Defendants.

CASE NO.: 2:18-cv-01184-JCM-EJY

**STIPULATION TO EXTEND  
DISCOVERY DEADLINES  
(3rd Request)  
(ECF No. 193)**

IT IS HEREBY STIPULATED AND AGREED between the parties that the discovery cut-off date of September 6, 2022, and related deadlines, be continued for a period of ninety (90) days up to and including December 6, 2022, for the purpose of allowing the parties to complete written discovery, disclose expert witnesses, and take depositions of the parties.

**I. DISCOVERY COMPLETED TO DATE**

Plaintiff and Defendants Richard Newman, Angela Patton, James Portello, Cesar Esparza, Kenneth Kelsey, Rogelio Mariscal, Tutulupeatau Mataele, Raymond Bunch, Kimberly Shrewsberry,

Cheryl Whetsel, Gerald Razo, Jesse Reynolds, Bryce Walford, Tanya Vai, Kyle Banagan, Ty-Yiviri Glover, Stephen White, Christopher Hunter, Douglas Taylor, Michael Chambers, and Mitchell Green (collectively, “LVMPD Defendants”), exchanged their initial Rule 26 Disclosures while Plaintiff was representing himself pro se. LVMPD Defendants provided five supplements to their Rule 26 Disclosures during that time. Plaintiff provided another initial Rule 26 Disclosure after his counsel appeared. Defendant NaphCare provided their initial Rule 26 Disclosure subsequent to Plaintiff’s counsel’s appearance. Pro se Plaintiff served Interrogatories on LVMPD Defendants Richard Newman, Angela Patton, James Portello, Cesar Esparza, Kenneth Kelsey, Rogelio Mariscal, Tutulupeatau Mataele, and Raymond Bunch, who have served their responses and two Requests for Production of Documents collectively on the LVMPD Defendants and responses were made. Pro se Plaintiff attempted to serve Interrogatories on a “Person Most Knowledgeable” for non-party LVMPD, and was advised that this discovery is improper. Counsel for LVMPD has provided copies of all the above discovery to Plaintiff’s new counsel. Defendant NaphCare served Special Interrogatories and Requests for Production on Plaintiff on February 3, 2022. Following extensions necessitated by Plaintiff’s counsel’s difficulties communicating with his incarcerated client, Plaintiff served responses to NaphCare’s written discovery on May 11, 2022.

## **II. DISCOVERY YET TO BE COMPLETED**

The Parties need to serve additional written discovery requests (Interrogatories, Requests for Admissions and Requests for Production of Documents). The Parties will serve various third-party subpoenas and take the deposition of Plaintiff, LVMPD Defendants, and the person most knowledgeable for NaphCare. The Parties are retaining experts and will provide timely expert reports.

## **III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

Local Rule 26-3 states in relevant part:

A motion or stipulation to extend a deadline set forth in a discovery plan must be received by the court no later than 21 days before the expiration of the subject deadline. A request made within 21 days of the subject deadline must be supported

by a showing of good cause. A request made after the expiration of the subject deadline will not be granted unless the movant also demonstrates that the failure to act was the result of excusable neglect.

Here, good cause supports the requested extension of discovery deadlines. Plaintiff's counsel has been severely limited in his ability to speak with Plaintiff, who is an inmate at High Desert State Prison. It has been difficult for Plaintiff's counsel to retrieve documents, review discovery, and obtain signatures from Plaintiff because the timeframe for visitation conflicts with mandated court appearances. Plaintiff's counsel is pro-bono and does not have the same access to funds as traditional parties in civil suits. It is taking longer to locate an expert that would be willing to work on reduced fees while at the same time attempting to locate programs that can help supplement expert fees.

In addition to this matter being complex, the LVMPD Defendants Counsel's Office has had several COVID infections which has caused further delay due to illnesses and short staff. Because of this, there were delays in the LVMPD Defendants propounding discovery and retaining experts. The experts will need additional time to review the voluminous materials related to this case and prepare expert reports.

Despite diligent efforts, and given the number of defendants in this matter, completion of discovery by the current deadlines is not possible.

#### IV. PROPOSED EXTENDED DEADLINES

Based on the foregoing, the Parties respectfully request this Court enter an order as follows:

Deadline	Current Date	<del>Proposed</del> New Date
Initial Expert Disclosure Deadline	Fri., July 8, 2022	Fri., October 7, 2022
Rebuttal Expert Disclosure Deadline	Mon., Aug. 8, 2022	Tues., November 8, 2022
Discovery Cutoff Deadline	Tues., Sept. 6, 2022	Tues., December 6, 2022
Dispositive Motion Deadline	Thurs., Oct. 6, 2022	Fri., January 6, 2023
Pre-Trial Order Deadline	Fri., Dec. 9, 2022	Mon., <del>January 9, 2023</del> February 6

**A. Motions in Limine/Daubert Motions.**

Under LR 16-3(b), any motions in limine, including *Daubert* motions, shall be filed and served 30 days prior to the commencement of Trial. Oppositions shall be filed and served and the motion submitted for decision 14 days thereafter. Reply briefs will be allowed only with leave of the Court.

**B. Extensions or Modification of the Discovery Plan and Scheduling Order.**

In accordance with LR 26-3, applications to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend a deadline set forth in a discovery plan shall be received by the Court not later than 21 days before the expiration of the subject deadline. A request made after the expiration of the subject deadline shall not be granted unless the movant demonstrates that the failure to set was the result of excusable neglect. Any motion or stipulation to extend a deadline or to reopen discovery shall include:

- (a) A statement specifying the discovery completed;
- (b) A specific description of the discovery that remains to be completed;
- (c) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan; and
- (d) A proposed schedule for completing all discovery.

This request for an extension is made in good faith and joined by all the parties in this case. The request is timely pursuant to LR 26-3. Trial is not yet set in this matter and dispositive motions have not yet been filed. Accordingly, this extension will not delay this case. Moreover, since this request is a joint request, no party will be prejudiced. The extension will allow the parties the necessary time to complete discovery.

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1 DATED this 15th day of June, 2022.

2 **GOODWIN LAW GROUP**

3 */s/ Charles Goodwin*

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5 CHARLES GOODWIN  
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9 *Attorneys for Plaintiff*  
10 *Ramon Muric-Dorado*

DATED this 15th day of June, 2022.

**KAEMPFER CROWELL**

*/s/ Lyssa S. Anderson*

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*Cheryl Whetsel, Gerald Razo, Jesse Reynolds,*  
*Bryce Walford, Tanya Vai, Kyle Banagan,*  
*Ty-Yiviri Glover, Stephen White, Christopher*  
*Hunter, Douglas Taylor, Michael Chambers,*  
*and Mitchell Green*

15 DATED this 15th day of June, 2022.

16 **MEDICAL DEFENSE LAW GROUP**

17 */s/ Paul A. Cardinale*

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*NaphCare, Inc.*

23 **IT IS SO ORDERED.**

24 Dated this 16th day of June, 2022.

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27 **UNITED STATES MAGISTRATE JUDGE**